UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:18-cv-00057-MR

JAMES W. LOMICK,	
Plaintiff,	
vs.	ORDER
KEN BEAVER, et al.,	
Defendants.)))

THIS MATTER is before the Court *sua sponte* on the parties' Joint Notice of Settlement. [Doc. 107].

This matter is currently set for trial to begin on November 15, 2021 at 9:00 a.m. [8/30/2021 Docket Entry]. A Writ of Habeas Corpus Ad Testificandum ordering that Plaintiff be transported from his current place of incarceration for trial was issued on September 22, 2021 and remains effective. [Doc. 106].

On October 15, 2021, the parties filed a Joint Notice of Settlement advising the Court that they had reached an "agreement in principle" to settle this matter and "are in the process of finalizing the terms of the written settlement agreement." [Doc. 107]. For this matter to be removed from the trial calendar and for the Writ to be cancelled, the parties must file, under

seal, the material terms of the settlement such that the settlement would be enforceable against and between the parties.

The parties, therefore, are ordered to file such terms with the Court no later than Monday, November 8, 2021.

ORDER

IT IS THEREFORE ORDERED that the parties shall file the material terms of their settlement, under seal, in accordance with this Order no later than Monday, November 8, 2021, or this matter shall remain for trial as set.

IT IS SO ORDERED.

Signed: November 5, 2021

Martin Reidinger

Chief United States District Judge